

HOUSE COMMITTEEAMENDMENT NO.**Offered by**

\_\_\_\_\_ of \_\_\_\_\_

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 298, Page 12, Section 1, Line 36, by inserting after all of said line the following:

"Section 2. 1. The supervisor of the division of alcohol and tobacco control shall not use minors to enforce the provisions of chapter 311, RSMo, unless the supervisor promulgates rules that establish standards for the use of minors. The supervisor shall establish mandatory guidelines for the use of minors in investigations by a state, county, municipal, or other local law enforcement authority which shall be followed by such authority and which shall, at a minimum, provide for the following:

(1) The minor shall be seventeen years of age;

(2) The minor shall have a youthful appearance, and the minor, if a male, shall not have facial hair or a receding

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hairline and if a female, shall not wear excessive makeup or excessive jewelry;

(3) The state, county, municipal, or other local law enforcement agency shall obtain the consent of the minor's parent or legal guardian before the use of such minor on a form approved by the supervisor;

(4) The state, county, municipal, or other local law enforcement agency shall make a photocopy of the minor's valid identification showing the minor's correct date of birth;

(5) Any attempt by such minor to purchase intoxicating liquor shall be videotaped or audiotaped with equipment sufficient to record all statements made by the minor and the seller of the intoxicating liquor;

(6) The minor shall carry his or her own identification showing the minor's correct date of birth and shall, upon request, produce such identification to the seller of the intoxicating liquor;

(7) The minor shall answer truthfully any questions about his or her age and shall not remain silent when asked questions regarding his or her age;

(8) The minor shall not lie to the seller of the intoxicating liquor to induce a sale of intoxicating liquor;

(9) The minor shall not be employed by the state, county, municipal, or other local law enforcement agency on an incentive

or quota basis;

(10) The state, county, municipal, or other local law enforcement agency shall, within forty-eight hours, contact or take all reasonable steps to contact the owner or manager of the establishment if a violation occurs;

(11) The state, county, municipal, or other local law enforcement agency shall maintain records of each visit to an establishment where a minor is used by the state, county, municipal, or other local law enforcement agency for a period of at least one year following the incident, regardless of whether a violation occurs at each visit, and such records shall, at a minimum, include the following information:

(a) The signed consent form of the minor's parent or legal guardian;

(b) A Polaroid photograph of the minor;

(c) A photocopy of the minor's valid identification, showing the minor's correct date of birth;

(d) An information sheet completed by the minor on a form approved by the supervisor; and

(e) The name of each establishment visited by the minor, and the date and time of each visit.

2. If the state, county, municipal, or other local law enforcement authority uses minors in investigations or in enforcing or determining violations of chapter 311, RSMo, or any

local ordinance and does not comply with the mandatory guidelines established by the supervisor of alcohol and tobacco control in subsection 1 of this section, the supervisor of alcohol and tobacco control shall not take any disciplinary action against the establishment or seller pursuant to chapter 311, RSMo, based on an alleged violation discovered when using a minor and shall not cooperate in any way with the state, county, municipal, or other local law enforcement authority in prosecuting any alleged violation discovered when using a minor."; and

Further amend said title, enacting clause and intersectional references accordingly.